

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

MAY 23 2017

John
CLERK

UNITED STATES OF AMERICA,

CR 17-50079

Plaintiff,

REDACTED INDICTMENT

vs.

ZACHARIAH MICHAEL POOR BEAR,

Defendant.

First Degree Murder – Felony Murder
Aiding and Abetting
(18 U.S.C. §§ 2, 1111 & 1153)

Assault Resulting in Serious Bodily
Injury of a Minor
Aiding and Abetting
(18 U.S.C. §§ 2, 113(a)(6), 1153 &
3559(f)(3))

Felony Child Abuse – Aggravated
Battery of an Infant
Aiding and Abetting
(18 U.S.C. §§ 2 & 1153 and
SDCL § 22-18-1.4)

Felony Child Abuse and Neglect
Aiding and Abetting
(18 U.S.C. §§ 2 & 1153 and
SDCL §§ 26-10-1 & 26-8A-2(1), (2),
(3) & (6))

The Grand Jury charges:

COUNT I

On or about May 15, 2015, at Pine Ridge, in Indian country, in the District of South Dakota, the defendant, Zachariah Michael Poor Bear, an Indian person, while aiding and abetting a known but unnamed juvenile, and while being aided

and abetted by the known but unnamed juvenile, did unlawfully and with malice aforethought, kill (name redacted), in the perpetration and attempted perpetration of child abuse against (name redacted), a child who had not attained the age of eighteen and was at least six years younger than Zachariah Michael Poor Bear, and (name redacted) was in Zachariah Michael Poor Bear's care and control, and death being caused by inflicting blunt trauma to the head and abdomen of (name redacted), all in violation of 18 U.S.C. §§ 2, 1111, and 1153.

COUNT II

On or about May 15, 2015, at Pine Ridge, in Indian country, in the District of South Dakota, the defendant, Zachariah Michael Poor Bear, an Indian person, while aiding and abetting a known but unnamed juvenile, and while being aided and abetted by the known but unnamed juvenile, did knowingly assault (name redacted), a person who had not attained 18 years of age, said assault resulting in serious bodily injury, all in violation of 18 U.S.C. §§ 2, 113(a)(6), 1153, and 3559(f)(3).

COUNT III

On or about May 15, 2015, at Pine Ridge, in Indian country, in the District of South Dakota, the defendant, Zachariah Michael Poor Bear, an Indian person, while aiding and abetting a known but unnamed juvenile, and while being aided and abetted by the known but unnamed juvenile, did intentionally, knowingly, and recklessly cause serious bodily injury to (name redacted), a child who had not attained the age of three years, by causing any intracranial bleeding and

damage to the brain of (name redacted), brought about through blunt force impact, all in violation of 18 U.S.C. §§ 2 and 1153 and SDCL § 22-18-1.4.

COUNT IV

On or about May 15, 2015, at Pine Ridge, in Indian country, in the District of South Dakota, the defendant, Zachariah Michael Poor Bear, an Indian person, while aiding and abetting a known but unnamed juvenile, and while being aided and abetted by the known but unnamed juvenile, did intentionally and knowingly abuse, expose, and cruelly punish (name redacted), a child who had not attained the age of seven years, by subjecting (name redacted) to an environment which constituted mistreatment, and was injurious to (name redacted)'s welfare, and which lacked proper parental care, and threatened (name redacted) with substantial harm, and resulted in serious bodily injury to (name redacted), all in violation of 18 U.S.C. §§ 2 and 1153 and SDCL §§ 26-10-1 and 26-8A-2(1),(2),(3) & (6).

A TRUE BILL:

[Redacted]

Foreperson

RANDOLPH J. SEILER
UNITED STATES ATTORNEY

By: 